

## **ATTACHMENT A**

### **Remarks**

All of the independent claims have been amended, four dependent claims have been canceled and four new dependent claims have been added. It is respectfully submitted that the claims, as amended, patentably define over the prior art cited.

Claim 33 has been rejected under 35 USC 103(a) as being unpatentable over Schultheiss in view of Hall while claims 23-25, 32, 34-36, 39 and 41 have been rejected under 35 USC 103(a) as being unpatentable over Schultheiss in view of applicant's admitted prior art. Claims 26, 37 and 42 have been rejected under 35 USC 103(a) as being unpatentable over Schultheiss in view of "admitted prior art" and further in view of Hall while claims 27-31, 38 and 40 have been rejected as being unpatentable over Schultheiss in view of "admitted prior art" and further in view of Schindler et al. These rejections are respectfully traversed particularly as applied to the claims as now presented.

As indicated above, all the claims have been amended to more clearly define over the cited references and, in this regard, all of the independent claims now recite, in one form or the other, that the at least one multimedia control device< disposed within the housing to control only the multimedia device< directly controls at least one function of the multimedia device in a single step and without the use of a menu. It was pointed out in the last response that the control device provides immediate accessibility to the multimedia device to thereby directly control the device and thus distinguishes in this regard from the use of indirect control such as provided in the Schultheiss patent wherein a control menu is first accessed prior to controlling the function of the multimedia device. Multiple steps are required in accessing the control menu and controlling the function, and thus this approach is indirect and non-immediate rather than being direct and immediate. The Examiner has taken the position that the control device of the Schultheiss patent "is used to control the multimedia device through direct and immediate access through the activation of a key/button on the mouse which in turn controls the

multimedia device.” The Examiner has pointed out that the “claims do not state to what extent the mouse directly controls the multimedia device or that the mouse controls the multimedia device in a single step as opposed to multiple steps.” The Examiner concludes that “if the mouse is causing a menu to be displayed, the mouse is causing the menu of the multimedia device to be displayed, which thereby is direct control to the multimedia device and immediate access of the multimedia device.”

While applicant does not necessarily agree with the position taken by the Examiner, the claims have been amended, as indicated above, in order to even more clearly define over the Schultheiss reference. Specifically, all of the claims basically provide that the at least one control device directly controls at least one function of the multimedia device of the computer in a single step and without the use of a menu. Thus, all of the claims presented now define over the menu-driven system of the Schultheiss patent for at least this reason. Although the claims are obviously not limited to this implementation, the single step control being claimed is exemplified, by the volume control 17 shown in Figure 1(a). By simple rotation of the volume control wheel 17, the multimedia control device provides direct volume control of the multimedia device.

It is noted that many of the dependent claims further define over the cited references. For example, claim 28 recites that the multimedia control device comprises a volume control slider or wheel for providing direct volume control while claim 29 recites that the multimedia control device comprises multiple actuators for directly controlling functions of a CD ROM drive, and claim 30 recites that the multimedia control device comprises multiple actuators for directly controlling functions of a tuner. Similarly, claim 31 provides that the multimedia control device comprises multiple actuators for directly controlling the functions of a speaker.

It is noted that these claims and corresponding claims were rejected under 35 USC 103 as being unpatentable over Schultheiss in view of admitted prior art and further in view of Schindler et al. It is respectfully submitted that this rejection is not well taken.

First, is respectfully submitted that while the Schindler et al patent may indeed teach “an entertainment system using a personal computer as the heart of the system wherein the personal computer contains suitable receiving circuitry, which provides indications of keys being pressed, being a serial connection or other form of connection” as contended by the Examiner, this does not render the claimed features of the invention obvious. For example, it is freely admitted that thumbwheel and slider volume controls are well known in, for example, radios, but that does not mean that the incorporation of such a volume control in a mouse for controlling volume in a multimedia device coupled to a computer is in any way obvious.

Further, it is respectfully submitted that the Schindler et al patent is not an effective reference against this application. Applicant hereby states that the present application (Serial No. 08/904,056) and US Patent No. 5,900,867 (the Schindler et al reference) were, at the time the invention of the present application was made, both commonly owned by Gateway, Inc. (formerly Gateway 2000, Inc.) and notes that a previous submission was made relative to further patents assigned in Gateway, Inc. Thus, it is respectfully requested that the rejection based on the Schindler et al patent be withdrawn.

The arguments set forth above with respect to, e.g., claim 28 apply equally to new claims 44, 45 and 46. Further, claims such as new claim 43 (which is, in part, based on claim 40) further define over the references. In the latter regard, claim 43 recites that the at least one multimedia device comprises a plurality of multimedia devices and that said at least one multimedia control device comprises a plurality of multimedia control devices located on different parts of the housing. Claim 43 further recites that at least two of the control devices control different multimedia devices of the plurality of multimedia devices, that the plurality of multimedia devices comprise at least two of an amplifier operatively connected to at least one speaker, a radio tuner, a television tuner and an optical disc player capable of playing audio compact discs (as recited in claim 40), and that one of the multimedia control devices comprises a volume control wheel or

slider device for the amplifier. Again, these features go far beyond anything disclosed in the Schultheiss patent which is concerned with methods and systems for providing television commands to a television using a personal computer.

Allowance of the application in its present form is respectfully solicited.

END REMARKS